IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929

Bail Appl..No. 6244 of 2007()

CRIME NO. 328/07 OF KAREELAKULANGARA POLICE STATION
CMP.2285/2007 of J.M.F.C.-II, HARIPAD

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PETITIONER/1ST ACCUSED

VIJESH, S/O. VIDHYADHARAN,
VIJESH BHAVANAM, VALIYAKUZHI MURI,
CHEPPAD VILLAGE.

BY ADV. SRI.SHIRAZ ABDULLA

RESPONDENTS: COMPLAINANT

SUB INSPECTOR OF POLICE,
KAREELAKULANGARA POLICE STATION, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6244 of 2007

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Dated this the 11th day of October, 2007

O R D E R

Application for regular bail. The petitioner is the first accused. He, along with the co-accused, faces allegations under the Kerala Abkari Act. The alleged incident took place on 1.10.2007. The petitioner was allegedly engaged in the conduct of consuming liquor along with the co-accused. It was he who was found pouring liquor from the bottle to the glasses of others. All the accused were arrested on 1.10.2007. The other three accused were granted bail on the reasoning that they were not seen dealing with the contraband liquor. As the petitioner happened to be the one who was pouring illicit liquor in glasses of others, he was denied bail. The petitioner continues in custody from 1.10.2007. The learned Prosecutor submits that there is no history of any criminal antecedents for the petitioner.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(b) He shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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